

REMARKS

The Examiner's indication of allowability of claims 7-9, if rewritten in independent form, is acknowledged and appreciated. Claim 7 has been rewritten in independent form. Claims 8 and 9 depend from claim 7. Accordingly, claims 7-9 are now believed to be allowable.

Claims 1, 3-6, 10 and 11 stand rejected under §103(a) as being unpatentable over Block (U.S. 1,733,681) in view of Serban (RO 1,158,859) and Clydesdale. Applicants respectfully traverse this rejection because the references, alone or in combination, do not disclose or suggest the claimed sound absorbing member for reducing noise generated by the tire, attached to the inner surface of the tread by the elasticity of the elastic fixing band, as described in the claims. The references also do not disclose or suggest that the sound absorbing member is formed of a porous material.

The Block reference relates to pneumatic tires including tire protectors interposed between the tire casing and the inner tube to prevent foreign particles from penetrating the tire casing and puncturing the inner tube. The tire protectors include a plurality of armor units 3 and connecting members 7 which are laced together using a strap 10, "made of rubberized fabric, leather or other flexible material." To further protect the inner tube "against cuts or abrasions, or from being pinched between the armor units during relative movement between them, a protective liner including a band 11 formed of rubberized fabric extends across the outer portion of the inner tube beneath the metallic parts of the armor structure 3" (see page 2, lines 42-54).

Serban relates to tires including a strip (6) covering the interior of the road contact surface of the tire for sealing any holes produced accidentally by hard material collected during travel. The strip (6) is made of “highly flexible rubber, or alternatively, a rubber strip (7) with flexible internal pins (80) filled with fluid or an elastic, e.g., steel strip with an external shock absorbing elastic coating” (Abstract).

Clydesdale relates to pneumatic tires having an inner tube and discloses plates 10 and 11 which are connected together using a spring metal band 14. The protective armor is disposed in service inside of a flexible shoe 8 (tread portion) and the pneumatic tube 9.

The Office Action states that the Block reference fails to expressly disclose the use of “flexible/elastic metallic band,” but that such bands are commonly used in the tire industry and that they are recognized as equivalent alternatives to elastic bands formed of rubber/resin. The Serban and Clydesdale references are cited in support of this position.

All three references relate to pneumatic tires requiring an inner tube and include devices made of metal for preventing puncture of the inner tube. In contrast, the present invention is directed to a tubeless pneumatic tire. The sound absorbing member is provided for reducing noise generated by the tire, and not for preventing puncture of the inner tube. Moreover, the sound absorbing member is attached to the inner surface of the tread through the use of the elasticity of the elastic fixing band. In contrast, the protective liners in the cited references are disposed against the inside of the tire by inner tubes. Thus, the cited references at best teach using a metal band for preventing punctures, and not for attaching a sound absorbing member to the inner surface of the tread.

Further, the claimed sound absorbing member is formed of *porous* material. Applicants respectfully disagree that “a rubberized fabric, leather or other flexible material . . . can be viewed in general sense as being *porous* and forming a ‘sound absorbing material.’” According to the Dictionary definition, porous means “full of pores, through which fluids, air, or light may pass” (see attached definition from Webster’s New World College Dictionary). As commonly known, rubberized fabric or leather is often used in making playing balls, such as basketballs, that hold air. These materials are also known for use in making containers that hold water. Thus, rubberized fabric or leather or other unnamed flexible material cannot be porous, as defined in the Dictionary. For all these reasons, claim 1 and its respective dependent claims are believed to be allowable over the cited references, alone or in combination. Withdrawal of the rejection is respectfully requested.

Claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Block, Serban and Clydesdale. Applicants respectfully traverse this rejection for the reasons given with respect to claim 1, from which claim 2 depends, and because of the additional features recited in claim 2. Withdrawal of the rejection is respectfully requested.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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